

Message

**From:** Hicks, Matt [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EAA50F546C9B440A98C82F4E9BD5BD69-HICKS, MATTHEW]  
**Sent:** 12/7/2020 3:25:41 PM  
**To:** Siegal, Tod [Siegal.Tod@epa.gov]; Kupchan, Simma [Kupchan.Simma@epa.gov]  
**CC:** Creswell, Michael [Creswell.Michael@epa.gov]  
**Subject:** RE: FL Assumption **Ex. 5 AC/DP**

Thanks Tod. I share **Ex. 5 AC/DP**

**Ex. 5 AC/DP**

It looks like we all have some time from 11:00-11:30 to talk so I'll send an invite out in a moment.

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**From:** Siegal, Tod <Siegal.Tod@epa.gov>  
**Sent:** Monday, December 7, 2020 10:10 AM  
**To:** Hicks, Matt <Hicks.Matthew@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Cc:** Creswell, Michael <Creswell.Michael@epa.gov>  
**Subject:** RE: FL Assumption- (b)(2) versus (b)(3) issue

Matt: **Ex. 5 AC/DP**

**Ex. 5 AC/DP**

Tod Siegal  
U.S. EPA, Office of General Counsel  
Cross-Cutting Issues Law Office  
202-564-5552

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**From:** Hicks, Matt <Hicks.Matthew@epa.gov>  
**Sent:** Saturday, December 05, 2020 11:24 AM  
**To:** Siegal, Tod <Siegal.Tod@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>  
**Cc:** Creswell, Michael <Creswell.Michael@epa.gov>  
**Subject:** FW: FL Assumption- (b)(2) versus (b)(3) issue

Tod and Simma,

At Jeaneanne and Leif's request, Michael and I developed the following proposed language that John Goodin might share with Dave Ross regarding

Ex. 5 AC/DP

# Ex. 5 AC/DP

Thanks,

Matt

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**From:** Hicks, Matt

**Sent:** Friday, December 4, 2020 5:57 PM

**To:** Palmer, Leif <Palmer.Leif@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

**Cc:** Ghosh, Mita <Ghosh.Mita@epa.gov>; Creswell, Michael <Creswell.Michael@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>

**Subject:** FL Assumption- (b)(2) versus (b)(3) issue

Leif and Jeaneanne,

I would propose the following language for John's discussion with Dave Ross regarding

Ex. 5 AC/DP

# Ex. 5 AC/DP